

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 95-82

APPROVAL OF LEVIATHAN MINE 5-YEAR WORKPLAN
AND FUNDS FROM THE STATE WATER POLLUTION
CLEANUP AND ABATEMENT ACCOUNT TO FUND THE WORKPLAN

WHEREAS:

1. The Leviathan Mine Pollution Abatement Project (project) is not a complete solution to the water quality problems at Leviathan Mine as it continues to adversely impact the Bryant Creek watershed, Leviathan Creek and Aspen Creek; and
2. The staff of the Regional Water Quality Control Board, Lahontan Region, (Regional Water Quality Control Board) prepared the Leviathan Mine 5-Year Workplan (workplan) for the project and identified three priority problems that must be addressed to restore beneficial uses of Bryant Creek; and
3. On July 14, 1995 the Regional Water Quality Control Board adopted Resolution No. 6-95-95 which approves the workplan and requests the State Water Resources Control Board to approve the workplan and consider funding the tasks contained in the workplan; and
4. The workplan has a total funding requirement of 14.75 Personnel Years and \$4,064,600; and
5. The workplan has been reviewed by the Division of Water Quality which recommended funding two tasks, site maintenance, and sludge characterization and deferring approval of the workplan pending receipt of recommendations/suggestions from the proposed Technical Advisory Committee; and
6. The Regional Water Quality Control Board indicates immediate funding needs of \$30,000 for site maintenance, \$400,000, for a pond overflow prevention system, and \$40,000 to complete a neutralization treatment study; and.
7. The State Water Board has previously appropriated \$777,100 from the Account for this project of which \$374,672 is unspent; and
8. The Account is over encumbered, and the State Boards most recent approval of \$5,125,000 for Penn Mine (Resolution No. 95-14) is subject to the condition that prior to any procurement it must be shown there are funds available in the Account to cover the contract; and
9. An additional encumbrance of \$4,064,600 from the Account would seriously impair the fiscal viability of the Account; and
10. The Regional Water Quality Control Board estimates there is

\$640,000 remaining in the State Assistance Program that may used on this project.

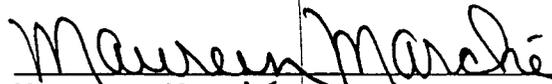
THEREFORE BE IT RESOLVED THAT:

THE STATE WATER RESOURCES CONTROL BOARD:

1. Defers approval of the Leviathan Mine 5-Year Workplan until the Technical Advisory Committee has reviewed all steps of the workplan development and implementation, and has had the opportunity to provide meaningful suggestions to the Regional Water Quality Control Board.
2. Allocates \$375,000 from the Account to the Regional Water Quality Control Board to fund the project.
3. The Regional Water Quality Control Board will segment its efforts to the degree possible, and before entering any contract, will obtain approval from the Executive Director to ensure sufficient funds are in the Account to cover the contract.
4. The unused portion of funds previously allocated from the Account for this project shall be rescinded.
5. The Regional Water Quality Control Board will use surplus State Assistance Program funds for high priority workplan tasks that are not funded from the Account.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the forgoing is a full, true, correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on November 16, 1995.



Maureen Marché
Administrative Assistant to the Board